GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWD – LTR – West Godavari District - Revision Petition filed by Sri Kagitha Tatayya alias Pallayya and another R/o.L.N.D. Peta, Polavaram (M), West Godavari District before the Government against the orders of the Agent to Government, West Godavari District, Eluru in SRA No.5/2001, dt.19.11.2001 in respect of land adm.Ac.1.00 cts in R.S No.42 & 44 situated at L.N.D.Peta village, Polavaram Mandal, West Godavari District and the second petitioner is none other than the Petitioner's daughter who is also the absolute owner of the land to the adm. Ac.1.00 cts in R.S.No.42 & 44 situated at L.N.D.Peta, Polavaram (M), West Godavari District – Dismissed – Orders – Issued.

SOCIAL WELFARE (TW.LTR-1) DEPARTMENT

G.O.MS.No. 147 **Dated: 30-08-2018**

Read the following:-

1. Revision Petition filed by Sri Kagitha Tatayya alias Pallayya and another R/o.L.N.D. Peta, Polavaram (M), West Godavari District, dt.13.08.2002.
2. Govt.Memo No.12674/TW.LTR-1/2002-1, dt.24.09.2002.
3. From the District Collector, West Godavari District, Eluru Lr.Roc.F4/7484/2002, dt.09.11.2007.
4. Govt.Lr.No.12674/TW.LTR-1/2002, dt. 27.06.2012, 19.10.2012, 17.01.2013, 05.07.2018.

ORDER:

1. In the reference 1st read above, Sri Kagitha Tatayya alias Pallayya and another R/o. L.N.D. Peta, Polavaram (M), West Godavari District has filed a Revision Petition before the Government against the orders of the Agent to Government, West Godavari District, Eluru in SRA No.5/2001, dt.19.11.2001 in respect of land adm.Ac.1.00 cts in R.S No.42 & 44 situated at L.N.D.Peta village, Polavaram Mandal, West Godavari District and the second petitioner is none other than the Petitioner's daughter who is also the absolute owner of the land to the adm.Ac.1.00 cts in R.S.No.42 & 44 situated at L.N.D. Peta, Polavaram (M), West Godavari District.

2. In the reference 2nd read above, the District Collector, West Godavari District, Eluru was requested to send parawise remarks and case records, so as to enable the Government to dispose of the R.P. filed by them against the order dt.19.11.2001 in SRA No.5/2001 of the Agent to Government, West Godavari District expeditiously.

3. The District Collector, West Godavari District, Eluru has furnished parawise remarks and connected records vide reference 3rd read above.

4. In the reference 4th read above, the petitioner was called for the hearing along with the written arguments and record. The case has been heard on 21.07.2018. During the course of hearing of the case that the Revision Petitioner absent despite of notice served and there is no representation and the case is long pending case reserved for orders.

5. As per the grounds in Revision Petition it is mentioned that Lower Authorities failed to consider that sale agreement entered prior to 03.02.1970 and the same is valid and in the year 1997 itself they were granted patta by the settlement officer and in the year 1979 also a similar case filed and dismissed and as such there are no violations of regulations.

6. On verification of the documents and the grounds of Revision and Para wise remarks as well as the other documents and material available on the record it is noticed that Special Deputy collector (TW) observed that the purchase of lands through the sale deeds dated 12.06.1973 between two non-tribes was violation of

(P.T.O)

land transfer regulations and hence null and void and the same was confirmed by the Additional Agent to Government in the appeal. It is observed that as seen from the record that the unregistered agreement of sale cannot be taken into account while examining nature of rights under regulation and as such the transaction was null and void as observed by the Lower Authorities.

7. That taking consideration of the above and the material available on the record that it can be concluded that the Lower Authority and the Appellant Authority passed the order as per law which does not deserve any interference and accordingly the same were hereby upheld and the Revision Petition is hereby dismissed.

8. The Collector & District Magistrate, West Godavari District, Eluru is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT (TW)

To
The Collector & District Magistrate, West Godavari District, Eluru (w.e)
The Special Deputy Collector, Tribal Welfare, K.R.Puram, West Godavari District.
Sri Sitaram Chaparla, Advocate, Flat No. 203, Jamuna Towers, Opp. Yasodha Hospital, Malakpeta, Hyderabad.
Sri Kagitha Tatayya (Pallayya), S/o. China Venkanna, R/o. L.N.D. Peta, Polavaram Mandal, West Godavari District.
Sri Kagitha Veera Venkata Laxmi, D/o. Kagitha Tatayya (Pallayya) R/o. L.N.D. Peta, Polavaram Mandal, West Godavari District.
Copy to:
The P.S. to Hon'ble Minister (SWE & TWE).
The P.S. to Principal Secretary (TW).
Sf/Sc.

//FORWARDED:: BY ORDER //

SECTION OFFICER